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Substitute for form 1449/PTO				<b>Complete if Known</b>		
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  Date Submitted: August 10, 2009 <i>(use as many sheets as necessary)</i>				<b>Application Number</b>	10/522,664	
				<b>Filing Date</b>	7/31/2003	
				<b>First Named Inventor</b>	Heinz-Josef Lenz	
				<b>Art Unit</b>	1634	
				<b>Examiner Name</b>	Carla J. Myers	
<b>Attorney Docket Number</b>	064189-0604					
Sheet	1	of	2			

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Document Number Number-Kind Code <sup>2</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear

UNPUBLISHED U.S. PATENT APPLICATION DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	U.S. Patent Application Document Serial Number-Kind Code <sup>2</sup> (if known)	Filing Date of Cited Document MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document Country Code <sup>3</sup> Number <sup>4</sup> Kind Code <sup>5</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Documents	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>

NON PATENT LITERATURE DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.			T <sup>6</sup>
	D47	MATSUBARA et al. (2008) "Impacts of excision repair cross-complementing gene 1 (ERCC1), dihydropyrimidine dehydrogenase, and epidermal growth factor receptor on the outcomes of patients with advanced gastric cancer," <i>British Journal of Cancer</i> <b>98</b> :832-839.			
	D48	TAKENAKA et al. (2007) "Combined evaluation of Rad51 and ERCC1 expressions for sensitivity to platinum agents in non-small cell lung cancer," <i>Int. J. Cancer</i> <b>121</b> :895-900.			
	D49	U.S. Application Serial No. 11/173,889 – Non-Final Office Action dated 06/10/2009			
	D50	U.S. Application Serial No. 11/173,889 – Non-Final Office Action dated 05/23/2008			

Examiner Signature	Date Considered
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**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

Date Submitted: August 10, 2009

(use as many sheets as necessary)

Sheet	2	of	2
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## NON PATENT LITERATURE DOCUMENTS

[illegible]

Examiner Signature	/Carla Myers/	Date Considered	09/14/2009
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